

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

IN RE: PETITION ZONING VARIANCE :
SW/corner of Timonium and :
Hathaway Roads - :
8th Election District :
Henry P. Goetz, et ux, :
Petitioners :
Case No. 84-39-A

FINDING OF FACTS AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a rear yard setback of 10 feet instead of the required 15 feet and an average rear yard setback of 14.5 feet instead of the required 20 feet. The purpose for their request is to enable the Petitioners to build an enclosed porch in the rear of their home, 9' x 12' dimensionally.

Testimony indicated, and was uncontested, that the placement of the porch in the particular area as described on the site plan, Petitioners' Exhibit 1, was mandated by the existence of a back door in that particular location which would allow easy access. The Petitioners testified that the addition could not be located elsewhere on the property due to the configuration in the house of the bedrooms and kitchen, which would prevent access or complicate access to the addition. Petitioners are close to retirement, and at their age, cannot afford to move. They still have one child living at home.

It is obvious that there will be no substantial detriment to the public good and will not be any substantial impairment to the intent and the purpose of the zoning ordinance.

Petitioners seek relief from Section 1802.3.B, Baltimore County Zoning Regulations (BCZR), Section 111.C.4., 1945 BCZR, pursuant to Section 307, BCZR.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant

variances were not to be granted. It has been established that the requirements the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons above given, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of August, 1983, that the Petition for Variances to permit a rear yard setback of 10 feet instead of the required 15 feet and an average rear yard setback of 14.5 feet instead of the required 20 feet for the express and sole purpose of building an enclosed addition 9' x 12' as more fully described in a site plan, dated May 15, 1983, and identified as Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of their Order; however, Petitioners are hereby made aware that their proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

William E. Hammond
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE August 4, 1983

BY *John M. Cosarquis*
ADMINISTRATIVE ASSISTANT

- 2 -

PETITION FOR VARIANCES

8th Election District

ZONING: Petition for Variances
LOCATION: Southwest corner of Timonium and Hathaway Roads
DATE & TIME: Wednesday, August 10, 1983 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a rear yard setback of 10 ft. instead of the required 15 ft. and an average rear yard setback of 14.5 ft. instead of the required 20 ft.

The Zoning Regulation to be excepted as follows:
Section 1802.3.B (III.C.4., 1945 regulations) - rear and average rear yard setback in a D.R. 5.5 zone

All that parcel of land in the Eighth District of Baltimore County

Being the property of Henry P. Goetz, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, August 10, 1983 at 10:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Douglas L. Kennedy, P.E.
John M. Cosarquis, L.S.
William K. Woody, L.S.

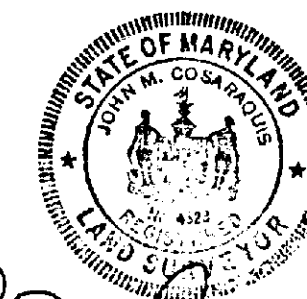
KCW Consultants, Inc.
Civil Engineers and Land Surveyors
760 Fairmount Avenue
Towson Town Centre
Towson, Maryland 21204

(301) 821-6852
821-6894

May 15, 1983

Description of No. 1 Hathaway Road
Timonium, Maryland

All that piece or parcel of ground located on the southeast side of Timonium Road and on the southwest side of Hathaway Road, approximately 696 feet northeast of York Road, known as Lot No. 1, as shown on Resubdivision Plat of Part of Sections A-B & C, "Yorkshire" and Part of "Havenford", which plat is recorded among the Land Records of Baltimore County in Plat Book G.L.B. 22, Page 25.



John M. Cosarquis

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owners: Henry P. and Louise H. Goetz

Location: SE/Cor. Timonium Road and Hathaway Road

Item No.: 251

Zoning Agenda: Meeting of May 31, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments, at this time.

APPROVED: *William E. Hammond*
Planning Group
Special Inspection Division
Fire Prevention Bureau

JWn/1cm

9/8/83

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond,
Zoning Commissioner Date: July 29, 1983
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Zoning Petition #84-39-A
Henry P. Goetz, et ux

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JCH:sf

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 29, 1983

Mr. & Mrs. Henry P. Goetz
1 Hathaway Road
Timonium, Maryland 21093

Re: Petition for Variances
SW/corner Timonium & Hathaway Roads
Henry P. Goetz, et ux - Petitioners
Case No. 84-39-A

Dear Mr. & Mrs. Goetz:

This is to advise you that \$33.84 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Commissioner

No. 119453

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

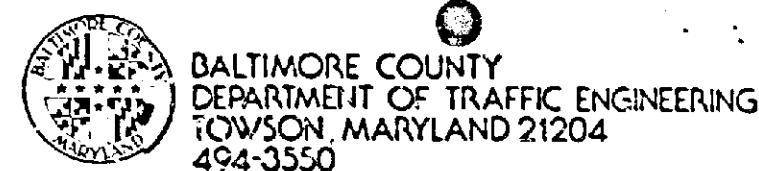
DATE: 8/8/83 ACCOUNT: R-01-615-000

AMOUNT: \$33.84

RECEIVED BY: Henry P. Goetz
FOR: Advertising & Posting Case #84-39-A

6 071*****53841b 8052A

VALIDATION OR SIGNATURE OF CASHIER



STEPHEN E. COLLINS
DIRECTOR

July 12, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 250, 251, 252, 253 ZAC Meeting of May 31, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

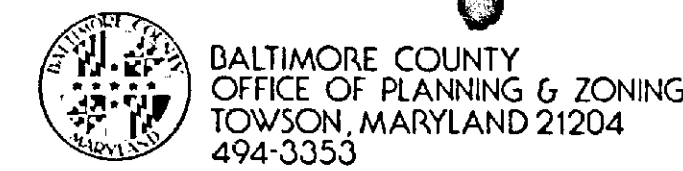
Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 250, 251, 252, 253.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/ccm



ARNOLD JABLON
ZONING COMMISSIONER

August 11, 1983

Mr. & Mrs. Henry P. Goetz
1 Hathaway Road
Timonium, Maryland 21093

IN RE: PETITION ZONING VARIANCES
SW/corner of Timonium and Hathaway
Roads - 8th Election District
Henry P. Goetz, et ux, Petitioners
Case No. 84-39-A

Dear Mr. & Mrs. Goetz:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

July 13, 1983

Mr. & Mrs. Henry P. Goetz
1 Hathaway Road
Timonium, Maryland 21093

NOTICE OF HEARING

Re: Petition for Variances
SW/corner Timonium & Hathaway Rds.
Henry P. Goetz, et ux - Petitioners
Case No. 84-39-A

TIME: 10:30 A.M.

DATE: Wednesday, August 10, 1983

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 117378

DATE: 5/19/83 ACCOUNT: 01-615-000
AMOUNT: \$ 35.00

RECEIVED FROM: Henry P. Goetz
FOR: Filing fee for Item # 251

666*****356010 8154A

VALIDATION OR SIGNATURE OF CASHIER

Mr. & Mrs. Henry P. Goetz
1 Hathaway Road
Timonium, Maryland 21093

cc: ECV Consultants, Inc.
760 Fairmount Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 31st day of May, 1983

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Henry P. Goetz, et ux

Petitioner's Attorney: Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3 Date of Posting: 7/23/83
Posted for: *Petition for Variances*
Petitioner: *Henry P. Goetz, et ux*
Location of property: *SW corner of Timonium & Hathaway Rds.*
Location of Signs: *Posting intervention of Commission*
Remarks: *8. Hathaway*
Posted by: *Nicholas B. Commodari* Date of return: 7/29/83
Number of Signs: 7

249839 p52

CERTIFICATE OF PUBLICATION

TOWSON, MD. 7/5 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for successive weeks, the first publication appearing on the 20th day of July 1983.

THE TOWSON TIMES

Cost of Advertisement, \$ 27.84

PETITION FOR VARIANCES
ZONING: Petition for Variances
LOCATION: Southwest corner of
Timonium and Hathaway Roads
DATE & TIME: Wednesday, August 10,
1983 at 10:30 A.M.
PUBLICATION: This petition was
published in the Towson Times, a
weekly newspaper distributed in
Towson, Baltimore County, Md., once
a week for successive weeks, the
first publication appearing on the
20th day of July 1983.
The zoning Commission of Baltimore
County, by authority of the
Zoning Act and Ordinances of Baltimore
County, will hold a public hearing
on the petition for variances to permit
a rear yard setback of 10 ft. instead
of the required 15 ft. and an average
rear yard setback of 14 ft. 6 in.
instead of the required 20 ft. 6 in.
The zoning Commission is to be
conducted on August 10, 1983 at 10:30
A.M. in Room 106 of the County Office
Building, 111 W. Chesapeake Avenue,
Towson, Maryland.
All that piece or parcel of ground
located on the southeast side of
Timonium Road and on the southwest
side of Hathaway Road, known as
Lot No. 1, as shown on the plat map
of the subdivision of Part of
Beltsville A-B & C, "Yorkshire"
which plat is recorded among the
Land Records of Baltimore County
in Plat Book G.L.B. 22, Page 20.
Being the property of Henry P.
Goetz et ux, as shown on plat map
filed with the zoning Department.
Hearing: Wednesday, August 10, 1983
at 10:30 A.M.
Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland.
By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
July 21, 1983

CERTIFICATE OF PUBLICATION

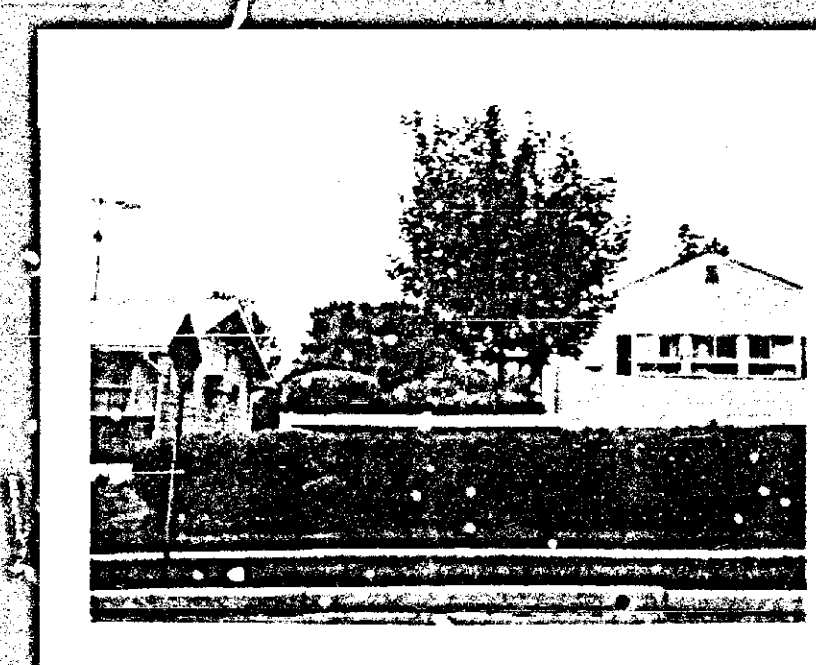
TOWSON, MD. July 21, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week for successive weeks, the first publication appearing on the 21st day of July 1983.

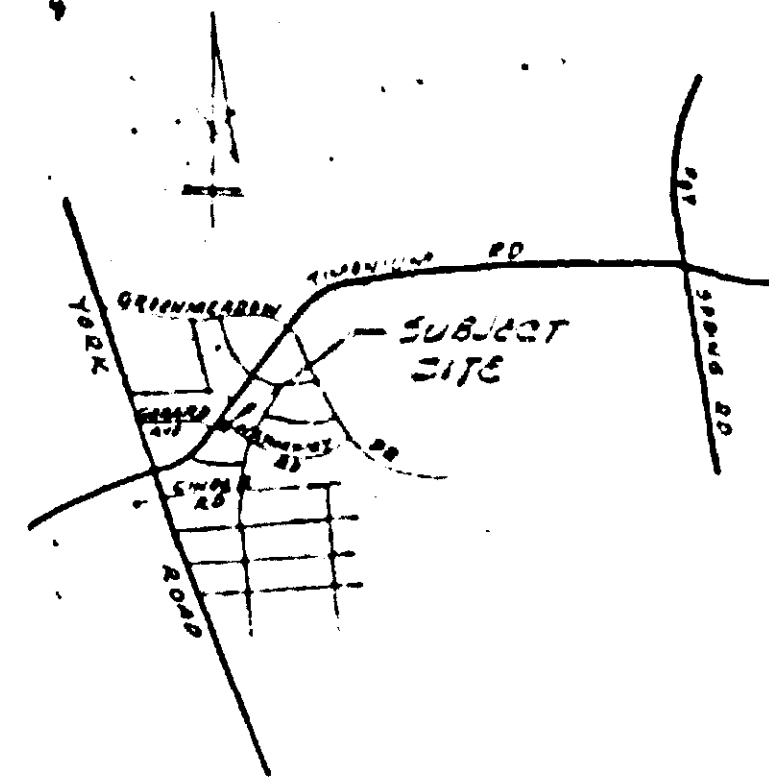
THE JEFFERSONIAN

Cost of Advertisement, \$ 21.00

PETITION FOR VARIANCES
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LOCATION: Southwest corner of
Timonium and Hathaway Roads
DATE & TIME: Wednesday, August 10,
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July 21, 1983

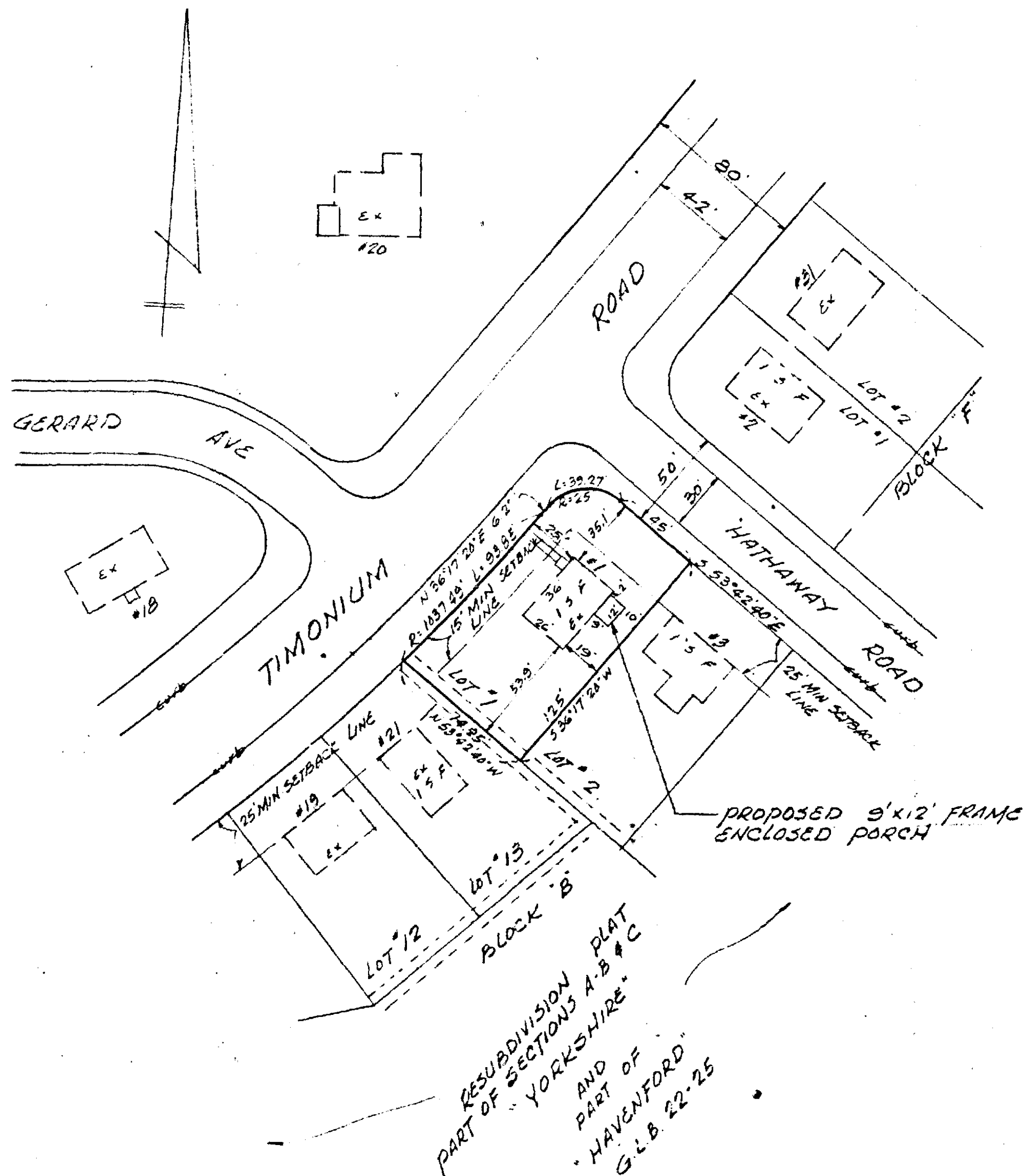


PETITIONER'S EXHIBIT



VICINITY MAP

SCALE 1" = 100'

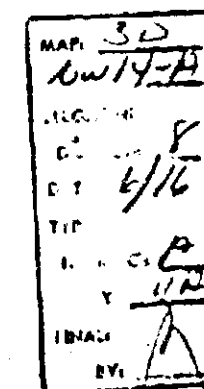


PLAT FOR REAR YARD
VARIANCE TO ZONING
NO. 1 HATHAWAY ROAD
8TH ELECTION DIST. BALTO COUNTY, MD
SCALE: 1" = 50' DATE: MAY 15, 1983

GENERAL NOTES
VARIANCE TO ALLOW FOR A 10 FT.
REAR YARD INSTEAD OF THE
REQUIRED 15 FT. MINIMUM
REAR YARD IN AN AVERAGE OF
A 14.5 FT. INSTEAD OF 20 FT. REAR
YARD.

EXISTING ZONING : DR 5.5
PROPOSED ZONING : DR 5.5

PUBLIC UTILITIES EXIST



Tom 1251

KCW CONSULTANTS, INC.
CIVIL ENGINEERS - LAND SURVEYORS
760 FAIRMOUNT AVENUE
TOWSON TOWN CENTRE
TOWSON, MARYLAND 21204
821 0852

MICROFILMED

